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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Mary J. Champion

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08/29/2008

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EXAMINER

GHALI, ISIS A D

ART UNIT

PAPER NUMBER

1611

MAIL DATE

DELIVERY MODE

08/29/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/576,803	Applicant(s) CHAMPION, MARY J.	
	Examiner Isis A. Ghali	Art Unit 1611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 July 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 33,35,36,38,41,44,45,55,57-59,61-65 and 68-70 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 33,35,36,38,41,44,45,55,57-59,61-65 and 68-70 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The receipt is acknowledged of applicant's amendment and declaration, both filed 07/07/2008.

Claim 68 has been canceled by the present amendment.

Claims 33, 35, 36, 38, 41, 44, 45, 55, 57-59, 61-65, 68-70 are pending and included in the prosecution.

The following new ground of rejection is necessitated by applicant's amendment:

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 55, 57-59, 61-65, 68-70 are rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for treating hot flashes by placing cooling device at the site of origin of the hot flashes, does not reasonably provide enablement for treating women anticipating hot flashes (claims 55, 57-59, 61-65, 67-70). The specification does not enable any person skilled in the art to which it

pertains, or with which it is most nearly connected, to practice the invention commensurate in scope with these claims.

The factors to be considered in determining whether a disclosure meets the enablement requirement of 35 U.S.C. 112, first paragraph, have been described in *In re Wands*, 8 USPQ2d 1400 (Fed. Cir. 1988). Among these factors are: the nature of the invention; the breadth of the claims; the state of the prior art; the relative skill of those in the art; the amount of direction or guidance presented; the predictability or unpredictability of the art; the presence or absence of working examples; and the quantity of experimentation necessary. When the above factors are weighed, it is the examiner's position that one skilled in the art could not practice the invention without undue experimentation.

The nature of the invention: The nature of the invention is method for treating hot flashes in women anticipating hot flashes. The entire specification disclosed treatment of hot flashes. Nowhere in the specification applicant disclosed treatment of hot flashes in women anticipating hot flashes. Further, the specification does not enable the treating of the hot flashes in women anticipating hot flashes, i.e. prevention of hot flashes before it occur. The term "treating women anticipating hot flashes" is interpreted by the examiner as "prevention", because symptoms can not be treated when they are anticipated and before they actually happen and they may or may not occur.

The breadth of the claims: The claims are very broad. The claim encompasses treating women anticipating hot flashes in susceptible patients, and the burden of enabling treating anticipated hot flashes in susceptible patients would be greater than

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that of enabling a treatment due to the need of additional testing and screening to those humans anticipating or susceptible to hot flashes. The treatment of hot flashes in women anticipating them before their occurrence may or may not be addressed by the administration of the instant cooling device because not all menopausal women experience hot flashes, which are one of various symptoms of menopausal syndrome.

The state of the prior art: The state of the art recognized treatment of hot flashes using the gel patches BeKool, and does not recognize the administration of BeKool patches to women anticipating hot flashes to prevent them from happening by applying such patches to women anticipating hot flashes as required in the instant claims. The state of the art recognizes the treatment of hot flashes as a symptom of menopausal syndrome, but not its cure.

The relative skill of those in the art: The relative skill of those in the art is high.

The amount of direction or guidance presented: The guidance given by the specification on how to treat hot flashes in women anticipating them before they actually happen is absent. Guidance for treatment of hot flashes as a symptom of menopausal syndrome by applying cooling device to the site of onset of the hot flashes is provided, however, no evidence is provided that hot flashes actually have been prevented from women anticipating hot flashes. Furthermore, the specification provides no guidance, in the way written description, on hot flashes in women anticipating them, only treatment of hot flashes as a symptom at the site of its onset, and it is not obvious from the disclosure of treatment of a symptom when it arises if its prevention by applying the same cooling device in women anticipating them even before its occurrence will work,

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simply because it may not occur. In the specification, page 17, lines 14-17, applicant disclosed that:

“While not wishing to be bound by any particular theory or mechanism of action, it has been discovered that placing the cooling device 12 **in an origin site of a hot flash, for example, in a region of the upper back** between the shoulder blades, can substantially reduce at least one symptom of hot flashes associated with menopause, and even substantially alleviate hot flashes associated with menopause. In certain situations, it has been found that placement of a cooling device 12 **at a region in proximity to the cervical and thoracic vertebrae substantially at the onset of a hot flash** or even in anticipation of a hot flash can effectively prevent the hot flash from spreading throughout a woman's body.”

Therefore, the disclosure is directed to placing cooling device at the site o onset of the hot flashes, i.e. hot flashes must happens first before treatment by applying the cooling device. A disclosure should contain representative examples which provide reasonable assurance to one skilled in the art that the methods of using fall within the scope of a claim will possess the alleged activity. See *In re Riat et al.* (CCPA 1964) 327 F2d 685, 140 USPQ 471; *In re Barr et al.* (CCPA 1971) 444 F 2d 349, 151 USPQ 724.

The predictability or unpredictability of the art: The lack of significant guidance from the specification or prior art with regard to complete treat hot flashes in women anticipating them, which is prevention of hot flashes, in women using the instant cooling devices applied to specific areas makes practicing the claimed invention unpredictable in terms of the treatment of the hot flashes even before been experienced by women because it is not known who is going to have them.

The presence or absence of working examples: The specification discloses treatment of hot flashes using cooling device. No working examples to show treatment of hot flashes in women anticipating them. Therefore, the specification has enabled only treating hot flashes as a symptom of menopausal syndrome by applying cooling device

at the site of origin of the hot flashes and further disclosed applying the cooling device at the onset of experiencing the hot flashes, and not treatment of women anticipating them, which is prevention of hot flashes before their occurrence, because they may not occur in all menopausal women.

The quantity of experimentation necessary: Therefor, the practitioner would turn to trial and error experimentation to practice the instant method for treating hot flashes in women anticipating them without guidance from the specification or the prior art. Therefore, undue experimentation becomes the burden of the practitioner.

Response to Arguments

3. Applicant's arguments filed 07/07/2008 have been fully considered but they are not persuasive. Applicant argues that although the origin site of the hot flash may be one factor influencing the placement of the cooling device, it is clear from the present specification that placing the cooling device on the upper back of the woman, independent of the origin site of the hot flash or anticipated hot flash associated with menopause, is fully supported and enabled by the present specification and the above-identified application. In view of the amendments to the claims, applicant submits that the present claims are enabled by the present specification and satisfy the requirements of 35 U.S.C. 112, first paragraph. Therefore, applicant respectfully requests the

In response to this argument, it is arguing that the expression "women anticipating hot flashes" as instantly claimed by generic claims 33, 55 and 61 is interpreted by the examiner as "prevention". Applicant did not show by any means that

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when the device is placed on the back of a woman will treat hot flashes in women anticipating them, and no showing of actual treating of hot flashes in women anticipating them before they happen. Contrarily, applicant disclosed that the device is placed at the origin of the hot flashes at upper back, and in proximity to the cervical and thoracic vertebrae, to prevent spreading of the flashes. Therefore, hot flashes have to happen first before applying the cooling device.

The following rejections have been discussed in the previous office action, and are maintained for reasons of record:

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 33, 41, 44, 45, 61, 69 and 70 are rejected under 35 U.S.C. 103(a) as being unpatentable over the product "BeKool" by Kobayashi Healthcare, INC., and was presented as: "Product Concept Test" by itself or in view of the article by "Pharmacy Key", September 2003.

BeKool is cooling gel sheet used for treating hot flashes. The presentation implies that the gel sheets been in use before the article date August 14, 2003. The present method of treating requires only the step of applying the patch. The site of

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application of the patch in the upper back or between the clavicles does not impart patentability to the claimed method because the patch will work the same way effectively and equally regardless of the site of its application. The instruction and packaging do not impart patentability of the claims. The claims are obvious by the reference since it has been held by the court that when the only difference between the prior art product and the claim is the "written instruction to the consumer", the claim is obvious over the art. See *In re Ngai 03-1524*. The product of the prior art is expected to be packaged since all medicaments are supplied in packages to ensure their safety against contamination and stability during storage. BeKool does not contain any active agent in the gel sheet.

Additionally, applicant disclosed in page 4, lines 15-20 that: "Although the exemplary embodiment of the invention is directed to placing the cooling device on the back of a woman, the cooling device may be placed on any site of a woman's body, preferably on or at any hot flash origin site, or a site where the hot flash, for example, the first symptom of the hot flash, is felt first".

The article "Pharmacy Key" teaches that the transdermal patch containing lidocaine can be applied on intact skin on the back.

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to treat hot flashes using a cooling gel as disclosed BeKool product concept test, and apply the cooling gel to the site of origin of the hot flashes, or applying the cooling gel at the back of the women, as disclosed by the article "Pharmacy Key" that patches can be applied to the back of patients, motivation would arise from the

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logic that applying the patch on the back wherein it can be hidden under cloth in inconspicuous location to provide self confidence to the wearer since it has been held by the court that aesthetic changes that have no mechanical function cannot be relied upon to patentability distinguish the claimed invention from the prior art. See *In re Seid*, 161 F.2d 229, 73 USPQ 431 (CCPA 1947).

6. Claims 35, 36, 38, 55, 57-59, 62-65, and 68 are rejected under 35 U.S.C. 103(a) as being unpatentable over “BeKool” product in view of any of JP 2002119529 ('529) or US 6,224,899 ('899).

The BeKool product concept test is discussed previously as set forth in this office action.

However, BeKool does not describe the gel as water containing gel comprising polyacrylic component and gas permeable substrate as claimed by claims 35, 36, 38, 55, 57-59, 62-65, 67 and 68.

JP '529 teaches cooling patch which can maintain the cooling effect while being able to cool the affected part at an early stage and can maintain a cooldown delay, said patch comprises water permeable film covered with hydrous paste of polyacrylic acid (abstract; paragraphs 0004-0008).

US '899 teaches adhesive cooling gel contains large amount of water spread on moisture permeable sheet (abstract; col.8, lines 61-66). The adhesive cooling gel is stable and is excellent in cooling effect and/or coolness-preserving effect on human skin and can be removed from the skin without leaving any residue (col.1, lines 53-55, 59-

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61). The cooling patch can be applied locally to the area of discomfort without limitation to the body part such as fever, inflammation, pain or sprain to assuage the discomfort (col.8, lines 41-58).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to provide a cooling sheet to treat hot flashes as disclosed BeKool, and made the sheet of hydrous material comprising polyacrylic acid on a water permeable sheet as disclosed by JP '529 or US '899, motivated by the teaching of JP '529 that such a cooling patch structure and materials can maintain the cooling effect while being able to cool the affected part at an early stage and can maintain a cooldown delay, or motivated by the teaching of US '899 that such an adhesive cooling gel is stable and is excellent in cooling effect and/or coolness-preserving effect on human skin and can be removed from the skin without leaving any residue, with reasonable expectation of having cooling patch or sheet comprising water permeable backing and polyacrylic acid paste or gel that is able to maintain the cooling effect and preserve the coolness of the site of its application to treat hot flashes successfully and effectively.

Response to Arguments

7. Applicant's arguments filed 07/07/2008 have been fully considered but they are not persuasive.

The main gist of applicant's argument against the BeKool product presentation is that the present claims require placing the patch at a location at the upper back between C3 and T6 which is a discrete site respecting the women privacy.

In response to this argument, it is argued that the BeKool gel patch disclosed to relief the hot flashes. Page 15 of the article "Product Concept Test" stated regarding "cooling gel sheets of hot flashes" that: "Scored as the highest for all product attributes (unique, believable and necessary. The site of application of the patch in the upper back or between the clavicles does not impart patentability to the claimed method because the patch will work the same way effectively and equally regardless of the site of its application. The burden is on applicant to show unexpected effect on treating hot flashes of the claimed patch when applied to upper back between C3 and T6 compared to the known BeKool patch. Applying in discrete site is related to aesthetic appearance, and it has been held by the court that aesthetic changes that have no mechanical function cannot be relied upon to patentability distinguish the claimed invention from the prior art. See *In re Seid*, 161 F.2d 229, 73 USPQ 431 (CCPA 1947).

Applicant argue that BeKool hot flash pamphlet relied upon as primary reference is undated.

In response to this argument, it is argued that the primary reference the examiner is relying on is "Product concept test presentation" (PCT) that was presented August 14, 2003. The presentation itself shows that the product was known and in use before the priority date of the present application. The pamphlet material is not relied upon in the standing rejection.

Applicant argues that PCT does not disclose, teach or imply the claimed method comprising steps of providing the cooling device, removing from the package, and placing on the upper back, nor the step of instructing the user.

In response to this argument, applicant's attention is directed to the scope of the present claims that are directed method of treating hot flashes comprising the steps of providing one cooling device, and instructing the patient. The step of providing the cooling device is implied by PCT because the device should be present and provided in order to be used. Regarding the "instructing step", such a step not patentable limitation in utility application. The instruction to apply the patch at specific site does not impart patentability to the claims because it is expected that the patch will be applied to the site of origin of hot flashes as disclosed by applicant on page 9, lines 1-5. With regard to applicant argument that the prior art does not teach removal from package, it is argued that step is implied because it is a common sense to remove the package of any medicine before use and patch cannot be applied to the skin enclosed in its package.

Applicant argues that PCT is based on consumer opinion interviews, and not on actual use of any product for any specific purpose.

In response to this argument, it is argued that PCT teaches that the cooling gel sheet to treat hot flashes was at least conceived at the time of the presentation, and patients have been interviewed to get their opinion on the product that was known and described at that time as "cooling gel sheet for hot flashes". In considering the disclosure of the reference, it is proper to take into account not only the specific

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teachings of the reference but also the inferences which one skilled in the art would reasonably be expected to draw therefrom. *In re Preda*, 401 F.2d 825, 826, 159 USPQ 342, 344 (CCPA 1968). The rational to modify or to combine the prior art does not have to be expressly stated in the prior art; the rational may be expressly or impliedly contained in the prior art or it may be reasoned from knowledge generally available to one of ordinary skill in the art. The reason or motivation to modify the reference may often suggest what the inventor has done, but for a different purpose or to solve different problem. It is not necessary that the prior art suggest the combination or modification to achieve the same advantage or result discovered by applicant. *In re Linter*, 458 F.2d 1013, 173 USPQ 560 (CCPA 1972).

Applicant argues that the rejections based in whole or in part on the PCT are not properly based since they are derived from an improper hindsight view of applicant's own disclosure and invention.

In response to this argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

Applicant argues that the “Pharmacy Key” is directed to delivering anesthesia and not for cooling device treating hot flashes.

In response to this argument, it is argued that cooling devices are disclosed by PCT, and “Pharmacy Key” is relied upon for the solely teaching of the site of application of the transdermal devices on the back. Motivation would arise from the logic that applying the patch on the back wherein it can be hidden under cloth in inconspicuous location to provide self confidence to the wearer.

Applicant argues that JP '529 and US '899 do not teach treating hot flashes by locating the cooling device at the upper back.

In response to this argument, it is argued that PCT teaches treating hot flashes using cooling device, and JP '529 and US '899 are relied upon for the solely teaching of the structure of the cooling device that contains acrylic acid polymers.

Applicant argues that no motivation to combine the references and the combination of the references does not teach the present invention or suggest the surprising advantages.

In response to this argument, it is argued that it would have been obvious to one having ordinary skill in the art at the time of the invention to provide a cooling sheet to treat hot flashes as disclosed BeKool, and made the sheet of hydrous material comprising polyacrylic acid on a water permeable sheet as disclosed by JP '529 or US '899, motivated by the teaching of JP '529 that such a cooling patch structure and

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materials can maintain the cooling effect while being able to cool the affected part at an early stage and can maintain a cooldown delay, or motivated by the teaching of US '899 that such an adhesive cooling gel is stable and is excellent in cooling effect and/or coolness-preserving effect on human skin and can be removed from the skin without leaving any residue, with reasonable expectation of having cooling patch or sheet comprising water permeable backing and polyacrylic acid paste or gel that is able to maintain the cooling effect and preserve the coolness of the site of its application to treat hot flashes successfully and effectively. The combined teaching of the references would have taught treating hot flashes using patch comprising acrylic acid polymer. Further, it has been held that "When a patent simply arranges old elements with each performing the same function it had been known to perform and yields no more than one would expect from such an arrangement, the combination is obvious." *KSR Int 'l Co. v. Teleflex Inc.*, 127 S.Ct. 1727, 1740 (2007) (quoting *Sakraida v. AG Pro, Inc.*, 425 U.S. 273,282 (1976)). "When the question is whether a patent claiming the combination of elements of prior art is obvious," the relevant question is "whether the improvement is more than the predictable use of prior art elements according to their established functions."

Finally, the conclusion of obviousness under 35 U.S.C. 103 (a) does not require absolute predictability, only a reasonable expectation of success; and references are evaluated by what they suggest to one versed in the art, rather than by their specific disclosure. *In re Bozek*, 163 USPQ 545 (CCPA 1969).

In the light of the foregoing discussion, the Examiner's ultimate legal conclusion is that the subject matter defined by the claims would have been prima facie obvious within the meaning of 35 U.S.C. 103 (a).

Response to Amendment

8. The declaration under 37 CFR 1.132 filed 07/07/2008 is insufficient to overcome the rejection of claims 33, 35, 36, 38, 41, 44, 45, 55, 57-59, 61-65, 68-70 based upon U.S.C. 103 (a) as being unpatentable over PCT as set forth in the last Office action because: it include(s) statements which amount to an affirmation that the claimed subject matter functions as it was intended to function. This is not relevant to the issue of nonobviousness of the claimed subject matter and provides no objective evidence thereof. See MPEP § 716. Applicant stated that "I have no way of verifying that this Product Concept Test was conducted at all, let alone in 2003, particularly since Kobayashi's product "BeKool Hot Flash" was not marketed/sold until July, 2005. Moreover, this Product Concept Test does not disclose my invention." However, applicant doubt and denial of the date provided by Kobayashi is not evidence the date is not correct.

In view of the foregoing, when all of the evidence is considered, the totality of the rebuttal evidence of nonobviousness fails to outweigh the evidence of obviousness.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 5,956,963 disclosed treatment of hot flashes using wrist

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cooler. BeKool picture shows product is packaged, and instruction is provided. The pamphlet of the product "Immediate, convenient and discrete relief from hot flashes ... anywhere anytime", stated that "If and when a hot flash occurs, simply peel off the strip covering the adhesive backing, apply the cooling soft gel sheet to the rear of the neck under your clothing".

Conclusion

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isis A. Ghali whose telephone number is (571) 272-0595. The examiner can normally be reached on Monday-Thursday, 6:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sharmila Landau can be reached on (571) 272-0614. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Isis A Ghali/
Primary Examiner, Art Unit 1611

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